



2663

## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:		)		G
RIE SUZUKI		: •}	Examiner: A. Boakye Group Art Unit: 2663	
Application No.: 09/661,152		;\ ).		
Filed: September 13, 2000		; )		RECEIVED
For:	SPREAD-SPECTRUM COMMUNICATION METHOD	)		FEB 0 6 2002
	AND APPARATUS	)	January 31, 2002	Technology Center 2600

Commissioner for Patents Washington, D.C. 20231

## INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. § 1.56, Applicant respectfully directs the Examiner's attention to the documents listed below and on the enclosed Form PTO-1449. A copy of each document so listed is enclosed.

U.S. Patent 6,084,905 Japan 8-298682 Japan 7-336271 Japan 7-177126 Japan 8-265215

Ue, T. et al., "Performance of Symbol Rate and Modulation Level Controlled Adaptive Modulation System", Technical Report of IEICE, RCS95-30, pages 25-30.

These documents were cited during prosecution of a Japanese application from which the above-identified application claims priority under 35 U.S.C. § 119, namely Japan 8-322713. A copy of a Japanese Office Action dated December 28, 2001 is enclosed.

It is noted that Japan 7-336271 has an English language counterpart in U.S. Patent 5,974,083, which was previously cited in the Information Disclosure Statement

dated September 12, 2000.

Additionally, it is noted that an English language counterpart for Japan 8-

298682 (namely, U.S. Patent 6,084,905) has been located and is cited herein for the

Examiner's consideration.

Further, English language abstracts for the documents 7-177126 and 8-

265215, and for the article to Ue, have been located and are also enclosed for the

Examiner's consideration. The concise explanation of relevance for each of these

documents is believed to be satisfied by the enclosed English abstracts. See MPEP § 609.

Inasmuch as this application has not yet received a first Office Action, it is

believed that this Information Disclosure Statement is timely. See 37 C.F.R. § 1.97(b)(3).

Accordingly, the Examiner is urged to study this information in its entirety and to form an

independent determination of the materiality of the information to the claimed invention.

Additionally, the Examiner is requested to indicate that this information has been

considered by initialing the appropriate portion of the Form PTO-1449.

Applicant's undersigned attorney may be reached in our Costa Mesa,

California office by telephone at (714) 540-8700. All correspondence should continue to

be directed to our address given below.

Respectfully submitted,

Attorney for Applicant Registration No. 42,740

FITZPATRICK, CELLA, HARPER & SCINTO

30 Rockefeller Plaza

New York, New York 10112-3801

Facsimile: (212) 218-2200

- 2 -